

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

METROPOLITAN LIFE INSURANCE
COMPANY,

Plaintiff,

vs.

GAIL A. REYNOLDS, TAMI REYNOLDS,
and LESLIE REYNOLDS,

Defendants.

8:16CV281

SHOW CAUSE ORDER

This matter is before the Court on its own motion.

This interpleader action was filed by Plaintiff Metropolitan Life Insurance Company on June 20, 2016. ([Filing No. 1.](#)) The Complaint alleges that Michael Reynolds (“Decedent”), who died on March 13, 2016, was an employee of the Burlington Northern Railroad and a participant in the Railroad Employees National Health and Welfare Plan (the “Plan”). Generally, Plaintiff requests that the Court determine the proper beneficiary of the Plan proceeds. The Complaint names four defendants, including Decedent’s wife, Gail Reynolds, Decedent’s daughters, Tami and Leslie Reynolds, and Decedent’s son, Paul Reynolds.

Counsel has not entered an appearance on behalf of any defendant. However, on August 18, 2016, Plaintiff submitted correspondence it purportedly received from Defendants Tami Reynolds and Leslie Reynolds. ([Filing No. 19.](#)) The correspondence appears to respond to the Complaint. In her response, Tami Reynolds states that she would like the Plan benefits to be paid to Defendant Gail Reynolds. ([Filing No. 19-1.](#)) Leslie Reynolds indicates that she does not care who receives the funds. ([Filing No. 19-2.](#)) Defendant Paul Reynolds did not respond to the Complaint, and a default judgment was entered against him on May 16, 2017. ([Filing No. 29.](#))

Plaintiff was previously granted leave to deposit the funds at issue in this action with the Clerk of Court. ([Filing Nos. 22, 24.](#)) Plaintiff deposited \$20,442.86 with the Clerk on March 6, 2017.

At this time, it appears this case is ready for final disposition. All defendants who have responded to the Complaint have indicated that they want the Plan benefits to be paid to Gail Reynolds or would not object to the benefits being paid to Gail Reynolds. Based on the current posture of this case,

IT IS ORDERED as follows:

1. No later than June 19, 2017, Defendants shall file a report with the Court advising as to why the funds at issue in this case should not be paid to Gail Reynolds. Failure to do so will result in a recommendation to United States District Court Judge Robert Rossiter, Jr. that the funds be distributed to Gail Reynolds and that this action be dismissed.

2. The Clerk of Court is directed to set a case management deadline using the following text: June 19, 2017: Show Cause Response Due.

Dated this 18th day of May, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge